Express Mail No. EV392126745US

Poste of Deposit: December 17, 2004 Attorney Docket No: 19374-501

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Farmer, et al.

SERIAL NUMBER:

DEC 1 7 2004

09/509,159

EXAMINER: Not Yet Assigned

INT'L APPL.

April 10, 1998

ART UNIT:

1651

FILING DATE:

FOR:

TOPICAL USE OF PROBIOTIC BACILLUS SPORES TO PREVENT OR

CONTROL MICROBIAL INFECTIONS

MAIL STOP AMENDMENT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Transmitted herewith for filing in the present application are the following documents:

Preliminary Amendment (11 pgs.); and

Return Postcard.

If the enclosed papers are considered incomplete, the Mail Room is respectfully requested to contact the undersigned collect at (617) 542-6000, Boston, Massachusetts.

The Commissioner is hereby authorized to charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311 (Reference No. 19374-501). A duplicate copy of this Transmittal Letter is enclosed.

Respectfully submitted,

Ingrid A. Beattie) and Reg. No.42,306

Attorney(s) for Applicants

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Dated: December 17, 2004

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MAIL STOP AMENDMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

PRELIMINARY AMENDMENT

Applicant respectfully requests amendment of the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims that begins on page 2 of this paper.

Remarks/Arguments begin on page 11 of this paper.